

GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS – REGULAR MEETING

Township Board Room - 8555 Kalamazoo Ave. S.E. Caledonia, MI 49316

DRAFT Agenda

7:00 p.m. – Wednesday, December 10th, 2025

- I. Call to Order and Roll Call**
- II. Consideration of the Meeting Agenda**
- III. Consideration of August 13th, 2025, Regular Meeting Minutes**
- IV. Inquiry of Conflict of Interest**
- V. Advertised Public Hearing**
 - 1. 9720 Hanna Lake Avenue (ARR, Agricultural/Rural Residential)**
40 foot Dimensional Variance – Reduce Street Side Yard Setback from 60 feet to 20 feet
 - 2. 7761 Hanna Lake Avenue (ARR, Agricultural/Rural Residential)**
52.8 foot Dimensional Variance – Reduce Street Side Yard Setback from 60 feet to 7.2 feet
 - 3. 440 72nd Street – Pine Rest Pediatric Behavioral Health (OS, Office Service)**
41.79 foot Dimensional Variance – Increase interior site sign from 8 square feet to 49.79 square feet
- VI. General Discussion Items**
 - 1. 2026 Meeting Schedule**
- VII. Other Reports**
- VIII. Adjournment**

*Please note that advertised public hearings will not start before the noted time, but may start later due to the length of other agenda items. All interested persons are invited to attend and participate. Persons with disabilities needing accommodation for effective participation in the meeting should contact the Township Office at 616-698-6640 one week in advance to request mobility, visual, hearing or other assistance.

**DRAFT MINUTES OF THE GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS REGULAR
MEETING
HELD ON AUGUST 13TH, 2025
GAINES CHARTER TOWNSHIP
8555 KALAMAZOO AVENUE SE CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

Chair Ringnalda called the meeting to order at 7:00 PM.

MEMBERS PRESENT: Ringnalda, Hilton, Peacock, DeWard

MEMBERS ABSENT: Wiersema and Kooiman, with notice.

OTHERS PRESENT: Dan Wells, Community Development Director; Dakota Swan, Assistant Planner

II. CONSIDERATION OF MEETING AGENDA

III. CONSIDERATION OF MEETING MINUTES

Motion: Motion by Peacock, supported by Hilton, to approve the Zoning Board of Appeals regular meeting minutes from May 14th, 2025, with corrections.

Discussion:

Ayes: All

Nays: None

Abstain: None

Decision: Motion carried (4-0).

IV. INQUIRY OF CONFLICT OF INTEREST

Member Hilton stated that at one point he was the owner of the subject property and had a hand in dividing the parcels on Muff Ridge; this wouldn't be considered a conflict of interest, but he wanted to make note.

V. PUBLIC HEARING

1. 9720 Hanna Lake Avenue – Dimensional Variance

Motion: Motion by Peacock, supported by DeWard to open the public hearing at 7:07 PM.

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None
DECISION: Motion Carried (4-0)

Jeremy Boot, the homeowner and applicant for this project, explained that he is seeking a 40-foot variance to reduce the required street side yard setback from 60 feet to 20 feet to build a 3,400 square-foot accessory building. Boot noted that upon purchasing the property, the soils didn't perc, therefore the Kent County Health Department required a sand filter and drain field, which ultimately restricted the buildable area on the parcel and determined where the house was able to be built. The pole barn Boot desires to build is essentially three garages connected by enclosed breezeways and configured in an "L" shape, located in the northeast corner of the parcel. Boot noted that they intend to install 30-foot pine trees for privacy and to minimize the visual impact on adjacent properties. Boot added that he was unaware that Muff Ridge Lane being built would turn his parcel into a corner lot and subsequently make for a street-side setback to be applicable in this instance.

DeWard inquired about the height of the proposed building; Boot responded that the height is undetermined at this time but will be compliant with height regulations outlined in the Zoning Ordinance. Boot noted that the building elevations provided are incomplete and preliminary in nature, but is hopeful that they will provide enough of a visual for the Zoning Board of Appeals to visualize.

Chair Ringnalda noted that not only do the garages themselves intrude into the required setback, but also the connecting structures between the garages.

Peacock inquired about the interior of the structure and whether there is any intention to use any part of the accessory building as a livable space. Boot responded that the building is intended to have a bar area but will not serve as living quarters. Planner Wells noted that kitchenettes and bathrooms are typical for accessory buildings, and structures are only considered accessory dwelling units when they include bathing spaces and bedrooms as well.

Boot explained that Jeff Van Laar at Exxel Engineering drafted a rough sketch of the property to create a visual representation of the approximate location of the septic system, sand filter, and wellhead. Peacock inquired about whether the building is intended to be built at grade; Boot confirmed that is correct.

Chair Ringnalda inquired about the possibility of moving the proposed building further south, as Boot is now aware of setback requirements; Boot responded that he does not wish to have the building any more behind the house than it already is. Ringnalda inquired to confirm that this is for aesthetic purposes; Boot confirmed this and noted that he would like to install a garden along the eastern lot line.

DeWard asked whether Boot knew a road would be built at the time the property was purchased; Boot responded that they knew a development would be going in but the location of the road was unclear. Boot claimed that the engineer working on his home build was also unaware of the road going in, and that 9720 Hanna Lake became a corner lot without their knowledge. Planner Wells noted that the preliminary condominium plan for Woodview Hills on Muff Ridge Lane was approved in March of 1999, and the building permit for Boot's home was issued in October of 1999, meaning that the easement for Muff Ridge was already established. DeWard agreed that the engineer working on Boot's house should've been aware of the situation.

Peacock inquired about what the street side setback would look like if Boot moved the proposed building southward and configured the garages in a straight line; Boot responded that it would likely be 20-30 feet off the lot line and that this would not give him his desired building. Chair Ringnalda suggested that a lesser variance than what is being requested may be necessary, and that if the design of the building was modified it may be entirely compliant with the requirements of the Zoning Ordinance; she inquired about whether Boot had considered trying to locate the building in a different area or modifying the design. Boot responded that he has thought out the design for a long time, and he has the inability to build elsewhere due to steep slopes, specifically an 8-foot drop-off to the north. Absent a certified survey to suggest otherwise, Planner Wells referenced site photos and Kent County topographic maps which indicate the area is relatively level.

Wells noted that although moderate slopes exist on the parcel, the grade is not unreasonable or prohibitive to installing a footing or doing mild earthwork to level a potential buildable area. Boot referenced a map brought with him, which identifies buildable areas on the parcel. Planner Wells noted that this map was not included in the application materials, and noted that a certified survey could confirm the location of all elements depicted on Boot's map.

Ringnalda inquired and Boot elaborated further on the intent for each of the garages; one intends to have a work truck, one will host a classic car, and the third will act as a woodworking area. Ringnalda inquired about whether Boot's proposed design features the breezeways for aesthetic purposes or functionality; Boot responded that he frequently moves between his work truck and workspace. Ringnalda said that without the connecting breezeways, the building may be able to shift without being a detriment to the visual appearance from the back of the house.

Boot inquired about what the required setback was for the northern lot line when he bought the property and before Muff Ridge was established or built; Planner Wells responded that he is not sure, however it has no bearing on the variance request at hand, as the current iteration of the Zoning Ordinance is the law.

Brad Waayenberg of 8644 Hanna Lake Avenue explained that he has known the applicant for an extended period of time and is in support of this project. Waayenberg expressed that he found the staff report associated with the variance request to be "black and white" and "missing the point" and noted that Boot bought this land with a dream.

Matt Wynalda of 3241 Muff Ridge Lane explained that he has also known the applicant for an extended period of time, and after talking to the neighbors to the east of the subject parcel, they expressed that the 5 foot rear setback is not preferable to them. Wynalda noted that in his opinion, meeting the 5-foot rear setback and being closer to the easterly property is worse than infringing on the required 60-foot street side setback.

Ben Harrison of 3209 Muff Ridge Lane expressed that he doesn't believe the proposed building would change the character of the neighborhood, and he noted that the existing trees would provide good screening.

Bill Norris of 9780 Hanna Lake expressed support for the project, noting that the existing home is beautiful and that he believes the proposed building would also be aesthetically pleasing.

Motion: Motion by DeWard, supported by Hilton to close the public hearing.
DISCUSSION: None
AYES: ALL
NAYS: None
ABSTAIN: None
DECISION: Motion Carried (4-0)

Motion: Motion by Peacock, supported by DeWard to read the staff report into record.
DISCUSSION: None
AYES: ALL
NAYS: None
ABSTAIN: None
DECISION: Motion Carried (4-0)

Before addressing each standard of approval, Chair Ringnalda offered a reminder that all five standards must be met to justify issuance of a variance.

1. The situation or predicament is caused by exceptional, unique, or extraordinary physical conditions, dimensions, or circumstances that directly relate to the lot involved rather than the individual situation or desire of the applicant or property owner (see definition of “unique circumstance”).

Staff found that this standard was not met, as it was determined there are other buildable areas on the parcel despite the presence of steep slopes in the west and south. DeWard noted that a certified survey is essential to figuring out what is going on with the property and exactly where buildable areas may be; Planner Wells responded that a certified survey is listed as a requirement for an application, however, it is up to the applicant what they decide to submit. Wells said that a certified survey could identify buildable areas on the parcel while also considering the location of underground utilities, such as the wellhead and septic lines.

2. The variance is necessary for the preservation and enjoyment of a substantial property right that is similar to that possessed by other landowners in the same Zoning District and vicinity and does not grant special privileges to the applicant that are not available to the owners of these properties.

Staff found that this standard was undetermined, as there appear to be other areas the building could be located in that would require a lesser variance. The square footage could also be limited to bring the building more into conformity with setback requirements. Hilton noted that although a survey would be helpful in identifying the exact location of underground utilities and determining where a compliant location may be, it is not the ZBA’s position to redesign the site layout for the applicant. Hilton urged the ZBA to consider whether the variance request as presented is reasonable and necessary.

3. The practical difficulty for which the variance is requested does not result from a self-created problem by the applicant, current landowner, or any previous landowner of the property involved.

Staff determined that the variance request does come as a result of a self-created problem, as there is uncertainty about whether the applicant could achieve his wishes in a compliant manner due to the lack

of a wetland delineation or certified survey. The applicant could alter the shape of the building, reduce the proposed square footage, or propose several smaller buildings to achieve compliance.

4. The variance will not be detrimental to the public welfare, injurious to neighboring properties, or change the essential character of the neighborhood.

Staff found this standard of approval to be met, as large accessory buildings are fairly typical in this area of the Township. Additionally, the tree line to the north provides a sufficient buffer for adjacent properties on Muff Ridge, and the proposed square footage of the building is compliant with the square footage that is permitted by right.

5. The variance is consistent with the purpose and intent of the Master Plan and the intent and provisions of the Zoning Ordinance and Zoning District designation of the subject property.

Staff found that this request is not consistent with the intent of the Master Plan or Zoning Ordinance; Chapter 18 of the Zoning Ordinance is extremely clear on what the required setbacks are for accessory buildings in the ARR zoning district.

Hilton said that although he believes the construction and quality of the building will be top notch, the Zoning Ordinance does not grant much wiggle room. Hilton expressed that he would prefer to table the request and give the applicant the opportunity to return to the ZBA with an alternative plan. Peacock agreed with Hilton's remarks and added that it is not the ZBA's responsibility to redesign the proposed plan to achieve compliance. Peacock also said that he would be interested in seeing what a certified survey could clarify with regard to the site constraints.

Hilton referenced a variance that was issued to 3241 Muff Ridge Lane in May of 2024; Ringnalda noted that every variance is issued on a case-by-case basis and that the 2024 variance should not be used as justification for this variance request.

DeWard said tabling the request may be adequate, which would grant the applicant the opportunity to submit all necessary application materials and perhaps request a lesser variance. Ringnalda stated that a certified survey would be beneficial in giving the ZBA a better understanding of why the variance may be necessary. She added that the ZBA could grant a lesser variance, however, without further detail it would be inappropriate to issue an approval as such at this time.

Motion:	Motion by DeWard, supported by Peacock, to postpone the request to allow the applicant to gather more information.
DISCUSSION:	None
AYES:	Hilton, Ringnalda, DeWard, Peacock
NAYS:	None
ABSTAIN:	None
DECISION:	Motion Carried (4-0)

Planner Wells noted that in the recent update to the Zoning Ordinance, setbacks were discussed extensively; the intent of setbacks in the ARR zoning district is to have a more spacious setback to enhance greenery and the rural feel in the area. Wells said that the development on and around Muff Ridge Lane is reminiscent of suburban development, and that this is an area in which people expect a more rural feel – this request would set precedence for other suburban-type construction in the ARR zoning district.

VI. GENERAL DISCUSSION

The ZBA discussed the implications of the request and expressed that they hope the applicant returns with a request that is closer to achieving compliance.

VII. OTHER REPORTS

None.

VIII. ADJOURNMENT

Motion by DeWard, supported by Peacock, to adjourn at 8:57 PM.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from the August 13th, 2025, Regular Meeting of the Gaines Charter Township Zoning Board of Appeals held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

Matt Kooiman
Secretary
Gaines Charter
Township Zoning
Board of Appeals

Dated: _____, 2025



ZONING BOARD OF APPEALS

Meeting Date: December 10th, 2025

AGENDA ITEM: V.1

APPLICANT: Jeremy Boot

REQUEST: 40-Foot Dimensional Variance –
Street Side Setback

ZONING AND PROPERTY SIZE:
Agricultural/Rural Residential (ARR)

ADDRESS: 9720 Hanna Lake Ave SE

REPORT BY: Dakota Swan, Assistant Planner



OVERVIEW:

The applicant is requesting a dimensional variance to reduce the street side yard setback for a proposed residential accessory building from 60 feet to 20 feet (a 40-foot variance from the ordinance requirement). If approved, the applicant will submit zoning and building permits to construct a 3,400 square foot pole barn. The Gaines Charter Township Zoning Ordinance stipulates that for a property of this size (3.7 acres), the applicant is permitted to build up to 3,400 square feet worth of accessory buildings by right before needing to obtain a Special Use Permit from the Planning Commission.

The applicant desires to put the accessory building in the northeast corner of the parcel. The subject parcel is considered to be a corner lot since the lot fronts on both Hanna Lake Avenue and Muff Ridge Drive; the parcel has access to Hanna Lake. The subject parcel is a corner lot and would therefore be considered to have two front yards, a primary front yard to the west and a secondary front yard to the north.

The applicable setback in this instance would be the street side yard setback, which extends from the public street right of way (or private street easement) in the direction of the secondary front yard; in the ARR zoning district, the street side yard setback for accessory buildings is 60 feet. The structure as proposed extends 40 feet into the required 60-foot setback, hence the request for a 40-foot dimensional variance. All other setback requirements are met, including the required 10-foot separation distance from any other structures.

The applicant sought consideration for a dimensional variance at the August 13th, 2025, Zoning Board of Appeals meeting. Several elements of the site plan and diagram depicting underground utilities were unclear and inconsistent. ZBA members voted unanimously to postpone the request to allow the applicant to compile and provide additional information to assist in informing their decision. The applicant's request is identical to that proposed in August, with the addition of a certified survey in the application materials.

SURROUNDING ZONING:

	NORTH: Agricultural/Rural Residential (ARR)	
WEST: Agricultural/Rural Residential (ARR)	SUBJECT PARCEL	EAST: Agricultural/Rural Residential (ARR)
	SOUTH: Agricultural/Rural Residential (ARR)	

PROCESS:

The request for a dimensional variance is subject to the following process:

1. Submittal by applicant (Section 25.20 A-C)
2. Completeness review by Zoning Administrator (25.20 D)
3. If complete, a public hearing shall be scheduled (Section 25.70)
4. Administrative review of the variance request by the Zoning Administrator
5. Public hearing and review and decision by the Zoning Board of Appeals (Section 25.50)

STANDARDS OF REVIEW:

The request for a dimensional variance is subject to review against standards outlined in Section 30.40 of the Zoning Ordinance – “Non-Use Variance Standards”. The Zoning Board of Appeals shall review all details of the application and submittal to ensure satisfaction of the requirements outlined in Section 30.40.

1. The situation or predicament is caused by exceptional, unique, or extraordinary physical conditions, dimensions, or circumstances that directly relate to the lot involved rather than the individual situation or desire of the applicant or property owner (see definition of “unique circumstance”).

»"Unique Circumstance": An exceptional, unique, or extraordinary physical condition that is one of the following

1. Exceptional narrowness of the width or depth of a lot or parcel, or an irregular shape, as compared to a conforming lot or parcel.
2. Exceptional natural or topographic features located on the lot or parcel, such as steep slopes, surface water features, existing significant trees, or other unique or extreme physical conditions of the land.
3. Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional features of the land.
4. Other natural, topographic, built, or dimensional conditions or characteristics.

Does not meet standard. Staff finds that the request for a street side setback reduction from 60 feet to 20 feet largely stems from the applicants’ personal desires, rather than a limitation of buildable area on the parcel. The applicant stated that the parcel has unique topographic conditions on the south and west sides of the property which prevent the structure from being proposed in a compliant location. The survey provided confirms the presence of slopes on the

southern and western parts of the property that would be difficult to build on, but other locations on the parcel appear to be suitable for building.

The eastern and southeastern areas of the parcel are relatively level and could accommodate the accessory building. Relocating or modifying the proposed layout of the accessory building could achieve compliance with Section 18.20 and maintain adequate distance from utilities and infrastructure on the property, such as the well, and buried gas/ electric lines.

Other compliant buildable areas appear to be present on the parcel, such as to the east of the home or southeast of the home. Land grading or other means of earthwork could make other areas of the parcel suitable for construction, such as to the northeast of the sand filter.

2. The variance is necessary for the preservation and enjoyment of a substantial property right that is similar to that possessed by other landowners in the same Zoning District and vicinity and does not grant special privileges to the applicant that are not available to the owners of these properties.

Does not meet standard. Approving the dimensional variance request will grant special privileges to the applicant. A 40-foot encroachment on the required 60-foot street side yard setback is being requested due to the site conditions, however, there are other buildable areas in which the accessory building could be placed outside of required setbacks. Other residents seeking an accessory building would be required to place their accessory building in a compliant location or provide substantial evidence that indicates and verifies there are no other viable and compliant buildable areas are present on the parcel. Other residents seeking an accessory building also may have to limit the square footage of their desired buildings or modify the proposed layout to achieve compliance with setback requirements.

3. The practical difficulty for which the variance is requested does not result from a self-created problem by the applicant, current landowner, or any previous landowner of the property involved.

Does not meet standard. Compliant, buildable areas are present on the site. It appears as though the applicant desires to place the structure in a location in which a reduction of the street side yard setback would be necessary without entertaining all other possibilities for the location of the pole barn on the site. Staff finds this to be a self-created problem because other means of constructing a compliant accessory building are available to the applicant. The applicant could alter the shape of the proposed building, reduce the

square footage of the building, relocate the proposed building, or perhaps construct several smaller accessory structures rather than request a dimensional variance to accommodate the proposed building.

4. The variance will not be detrimental to the public welfare, injurious to neighboring properties, or change the essential character of the neighborhood.

Meets standard. The main impact of an accessory building at this location would be a visual impact on the properties on Muff Ridge Drive, however, staff does not find that the accessory building would be injurious or obtrusive. There is a tree line dividing the property and Muff Ridge Drive to the north, which blocks the view. Additional screening to the east may help to minimize the visual impact on neighbors to the east of the subject parcel. Three neighbors in the immediate area have submitted public comments in support of the project.

5. The variance is consistent with the purpose and intent of the Master Plan and the intent and provisions of the Zoning Ordinance and Zoning District designation of the subject property.

Does not meet standard. The parcel is currently and future zoned for rural residential use. The intent and purpose of Section 18.20 of the GCTZO is to promote consistent rules for the placement of buildings and structures within the ARR zoning district and to buffer accessory buildings from surrounding properties. In this specific location, the street side yard setback is defined as the line that connects the primary front lot line and rear lot line. Chapter 18 of the GCTZO stipulates setback regulations for accessory buildings in the A-RR zoning district; staff believes that the applicant has not proven sufficient difficulty on other potentially buildable areas on the parcel and is requesting a dimensional variance on behalf of personal desires rather than limitations of the parcel configuration, the land itself, or genuine inability to adhere to setback requirements.

STAFF RECOMMENDATION:

Staff recommends that the variance request be denied as it does not meet the standards of a unique circumstance, and the preferred location of the accessory building is a self-created problem by the applicant.

If the ZBA determines all standards for a dimensional variance are met, approval of the application is recommended with no conditions.

If the ZBA determines any of the standards for a dimensional variance are not met, staff recommends that the application be denied.

Application for Zoning Variance

Applicant Response to Variance Standards

Depending on the situation, you will be applying for either a Dimensional or Use Variance.

*ZBA must find that **all** standards under 1-5.A) are met for Dimensional (Area) Variance,*

OR

***all** under 1-5.B) for Use Variance approval*

1. A) Does the property display any unique circumstances that justify the need for the dimensional variance request, rather than the individual situation or desire of the applicant? (See definition of "unique circumstance.")

OR

B) Is the use variance necessary due to the unique condition, location, or situation of the property in relation to the permitted and special land uses categorized within the applicable Zoning District?

*Yes. Exceptional natural and topographic features, steep slopes, drainage, trees.
Location of existing home with exceptional features of land with no other practical location.
Natural topographic conditions and characteristics of land as well as built conditions per health dept.*

2. A) Would approval of the variance request grant special privileges to the property owner requesting the dimensional variance that are not held by landowners in the same zoning district or vicinity?

OR

B) Does the unique nature of the property prevent the establishment of all other reasonable and appropriate permitted and special land uses categorized within the applicable Zoning District.

Due to the unique nature of this property, topographic features, steep slopes, drainage, existing trees as well as the North easement line, in no way grants this property a special privileges.

Application for Zoning Variance

3. A) Is the practical difficulty for which the dimensional variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

OR

B) Is the hardship for which the use variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

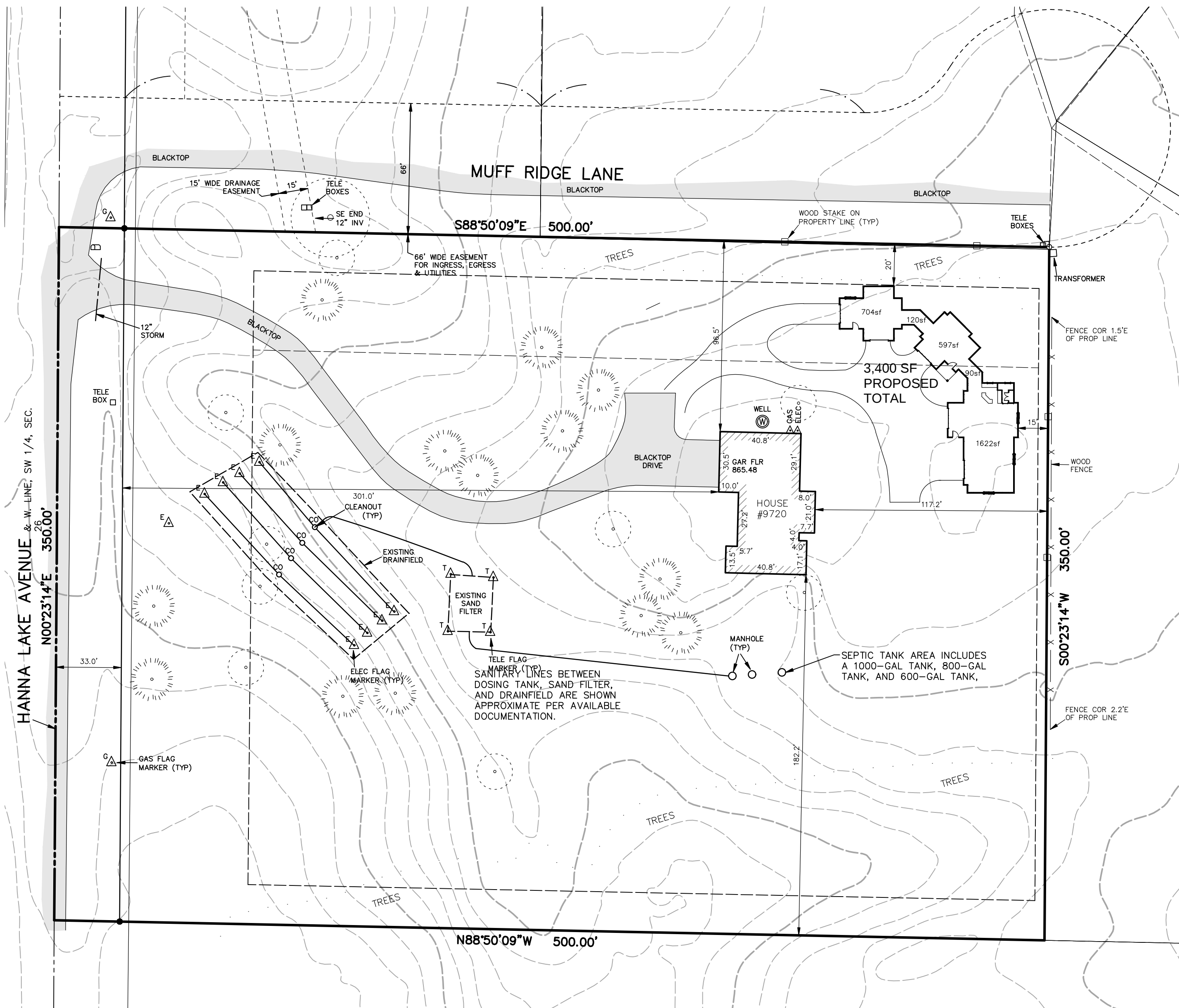
This parcel of land has unique characteristics of topography as well as a North easment line hindering the placement of what would otherwise be acceptable and within township guidelines. Creating a textbook example of a zoning variance, and is in no way in any definition a self created hardship.

4. For A) & B) If approved, will the dimensional or use variance cause detriment to the public welfare, injury to neighboring properties, or change the essential character of the neighborhood? If so, please explain.

The already established North Large Pines create a perfect Buffer. The new building would be an asset to the neighboring homes, also creating an additional buffer due to its well thought out design creating privacy to neighboring properties.

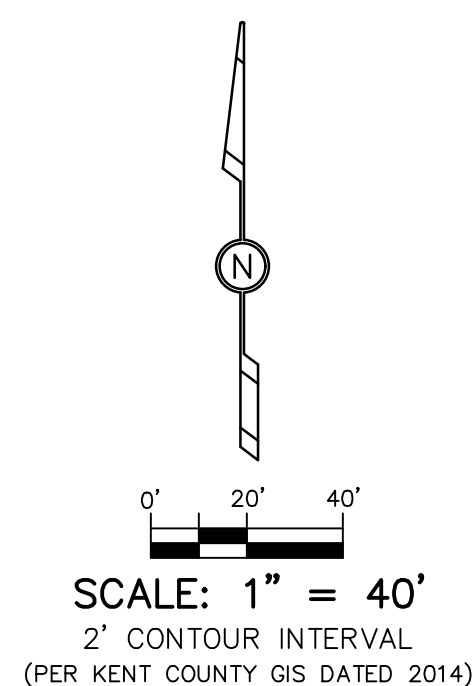
5. For A) & B) To the best of your knowledge, is the dimensional or use variance request consistent with the purpose and intent of the Master Plan, Gaines Charter Township Zoning Ordinance, and zoning district designation of the property?

Yes. This request meets all zoning and ordinance requirements, If there was not a second front yard easment. Completely within Master plan of township requirements. This information is clearly shown through survey.



DESCRIPTION:

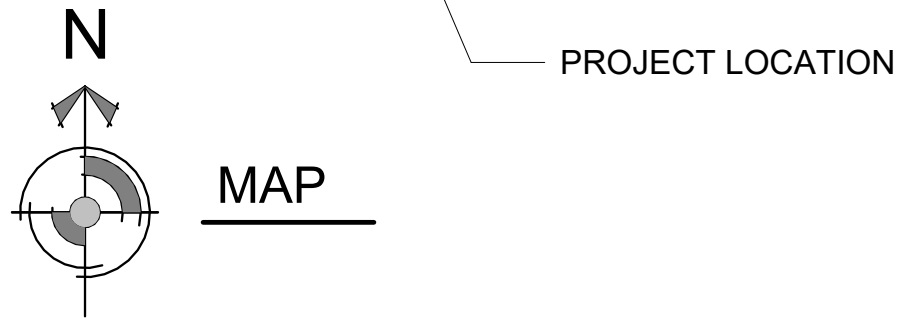
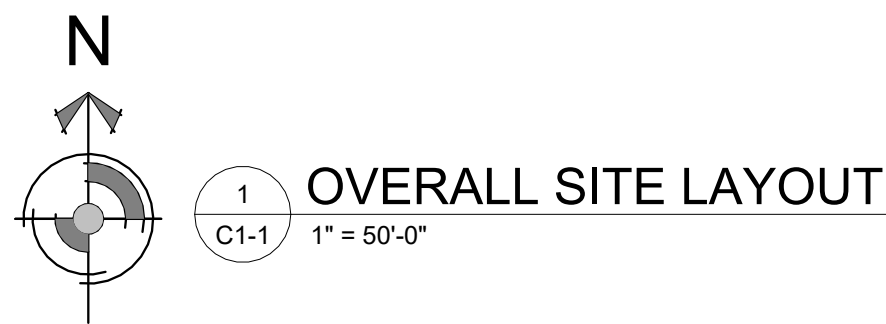
The North 350 feet of the South 548 feet of the West 500 feet of the NW 1/4 of the SW 1/4 of Section 26, T5N, R11W, Gaines Township, Kent County, Michigan.



LEGEND

- = IRON STAKE FOUND
- = IRON STAKE SET
- ⊕ = MONUMENT
- ⊗ = WELL
- = MANHOLE
- ∞ = CLEAN OUT
- ☐ = MAILBOX
- T = TELEPHONE BOX
- ⊙ = BURIED GAS LINE MARKER
- ⊕ = BURIED ELECTRIC MARKER
- ⊗ = BURIED TELEPHONE MARKER
- x—x— = FENCE LINE
- ⊙ = EXISTING TREE PER AERIAL PHOTO

BOUNDARY SURVEY			
RE: 9720 HANNA LAKE AVE SE			
FOR: JEREMY BOOT			
9720 HANNA LAKE AVE SE			
CALEDONIA, MI 49316			
PART OF THE SW 1/4, SECTION 26, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN			
			
DRAWN BY: BAB		PROJ. ENG.: JSV	
APPROVED BY: JSV		PROJ. SURV.: VAD	
FILE NO.: 251720E		DATE: 09/30/2025	
DATE		REVISION	
BY		SHEET	
		1 of 1	



PROPERTY DESCRIPTION:
THAT PART OF THE SW 1/4, SECTION 26, T5N, R11W, GAINES TWP, KENT COUNTY, MICHIGAN,
DESCRIBED AS: BEGINNING AT A POINT ON THE WEST LINE OF SAID SW 1/4, WHICH IS 800
16'53"E 776.46 FEET FROM THE 1/4 CORNER OF SECTION 26; THENCE S89 30'22"E 500.00 FEET
PARALLEL WITH THE SOUTH LINE OF THE NW 1/4, SW 1/4, SECTION 26; THENCE S00 16'53"E
350.00 FEET; THENCE N89 30'22"W 500.00 FEET ALONG THE NORTH LINE OF THE SOUTH 198
FEET OF THE NW 1/4, SECTION 26; THENCE N00 16'53"W 350.00 FEET ALONG THE WEST LINE
OF SAID 1/4, SECTION 26 TO THE PLACE OF BEGINNING. SUBJECT TO EASEMENTS OF
RECORD AND TO HIGHWAY R.O.W. FOR HANNA LAKE AVENUE. THIS PARCEL CONTAINS 4.017
ACRES INCLUDING HIGHWAY R.O.W.

4.017 ACRES EXCL. H'WY R/W
PARCEL ID #41-22-26-320-002

NEW VARIANCE SETBACK FOR:
JEREMY BOOT RESIDENCE
9720 HANNAH LAKE AVE, CALEDONIA, MI 49316

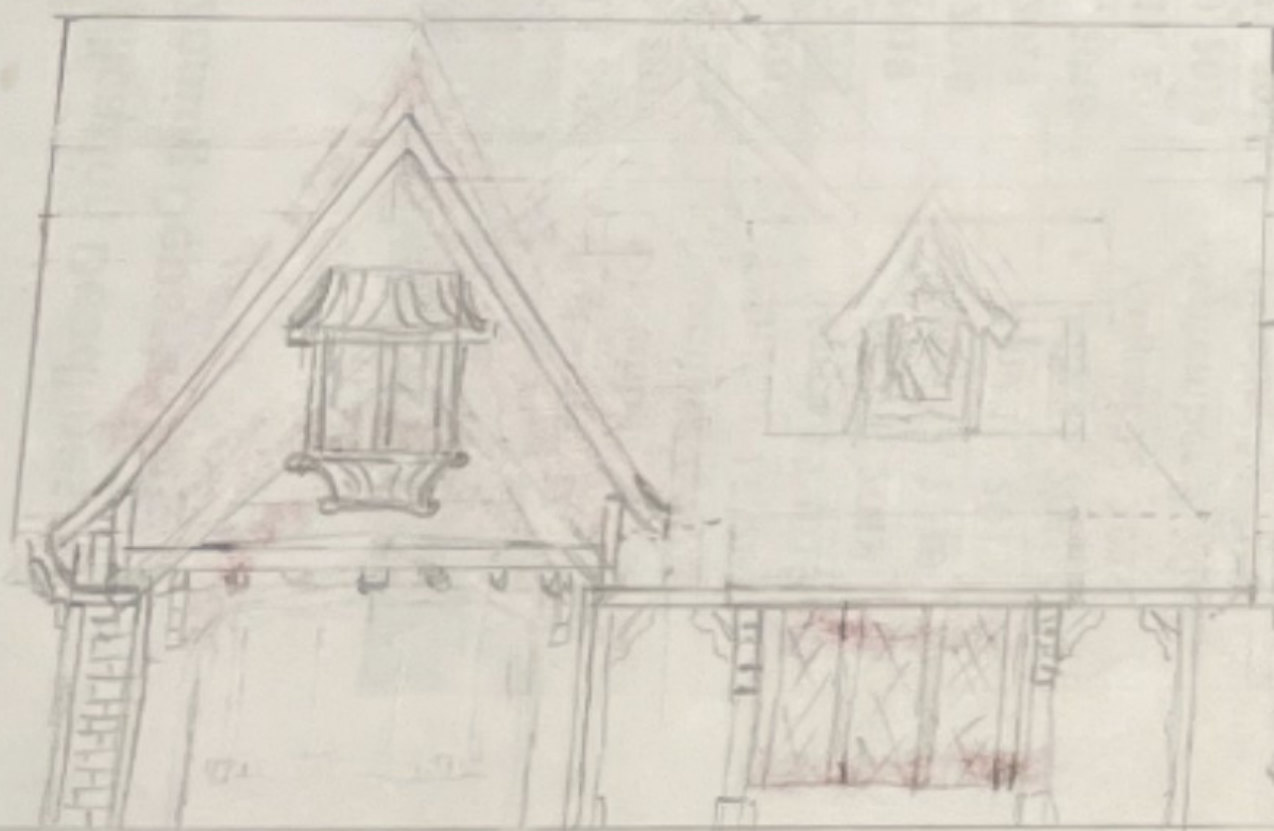
ISSUED FOR:
7-8-2025: ZONING VARIANCE
11-12-2025: ZONING
VARIANCE REVISION

DRAWN: MSF
PROJECT #: 105-25

DRAWING NO:
C1-1



South Elevation
Looking North

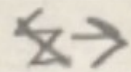


West Elevation



West Elevation

Swiss
Style Post





November 12, 2025

Gaines Township Zoning Board
8555 Kalamazoo Ave. S.E.
Caledonia, MI 49316

RE: 9720 Hanna Lake Ave Variance Request

Gaines Township Zoning Board Members,

I am a civil engineer and project manager at Exxel Engineering, Inc. I have worked with your staff and your ordinance to create a number of successful projects in the township. Jeremy Boot contacted me for assistance in reviewing the zoning ordinance relative to placement of a proposed accessory building on his parcel at 9720 Hanna Lake Ave. Normally, Jeremy would be subject to a 20' side yard setback for his accessory building; however, when Muff Ridge Ln. was constructed, the easement was placed against his property line turning his lot into a corner lot. Most home owners would likely not even realize the consequences this has on their property, whether in Gaines or elsewhere, and may not object to similar projects not realizing how it may further constrain their property.

After reviewing the parcel and options with Jeremy, the northeast corner is the only practical location for his accessory building. There are drainfield, sand filter, sewer line, and septic tanks constraints in front and to the south side of his house. The far southeast corner is a natural drainage course that should not be impeded on. The area north of his driveway is also a natural drainage course with enough grade change that it is impractical to construct a building on. Constructing in this area would require removal of mature evergreen trees, 8-10' of fill in areas, and a likely need for retaining walls. I have attached a survey of the property showing site constraints as accurately as possible and GIS topography. The sand filter and drainfield were marked in the field for Exxel to locate.

It is my opinion that Jeremy's request is justified. In most cases, a land owner is not going to have much ability to stop a project like the Muff Ridge Ln private street and land divisions from going through as long as the project is "by-right" but will have to live with their lot being turned into a corner lot which limits future property rights they may have. Having reviewed this situation, the location of private street easements or public street rights-of-way is something I will be mindful of in future projects and intend to keep the impacts on neighboring property owners in mind as designs are implemented.

Jeremy did not create this secondary front yard setback hardship and I also believe that this variance request is optimal to a separate front yard variance request. A front yard variance request would impact the public traveling down Hanna Lake Ave. Additionally, he has already created a mature landscape buffer to the north and east. A buffer in his front yard would not be as effective for screening to the north due to the grade change as the assumed floor elevation of the building could be 10'+ above the elevation of Muff Ridge Ln if a front yard variance were to be approved. There can always be some "gray area" between the legality of zoning ordinances and practicality of requests. Ideally, all

sites would be able to meet the ordinance requirements but every site is unique and can have restrictions which is why variance requests exist. This site falls in that gray area where this is a reasonable variance request and is not detrimental to the surrounding area. There are enough site constraints that this request is not precedent setting.

Please let me know if you have any questions or comments

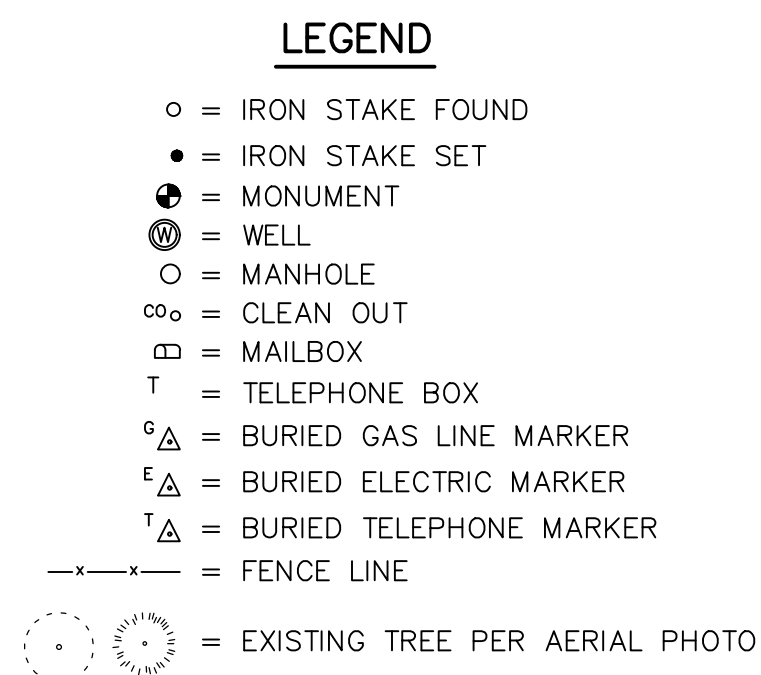
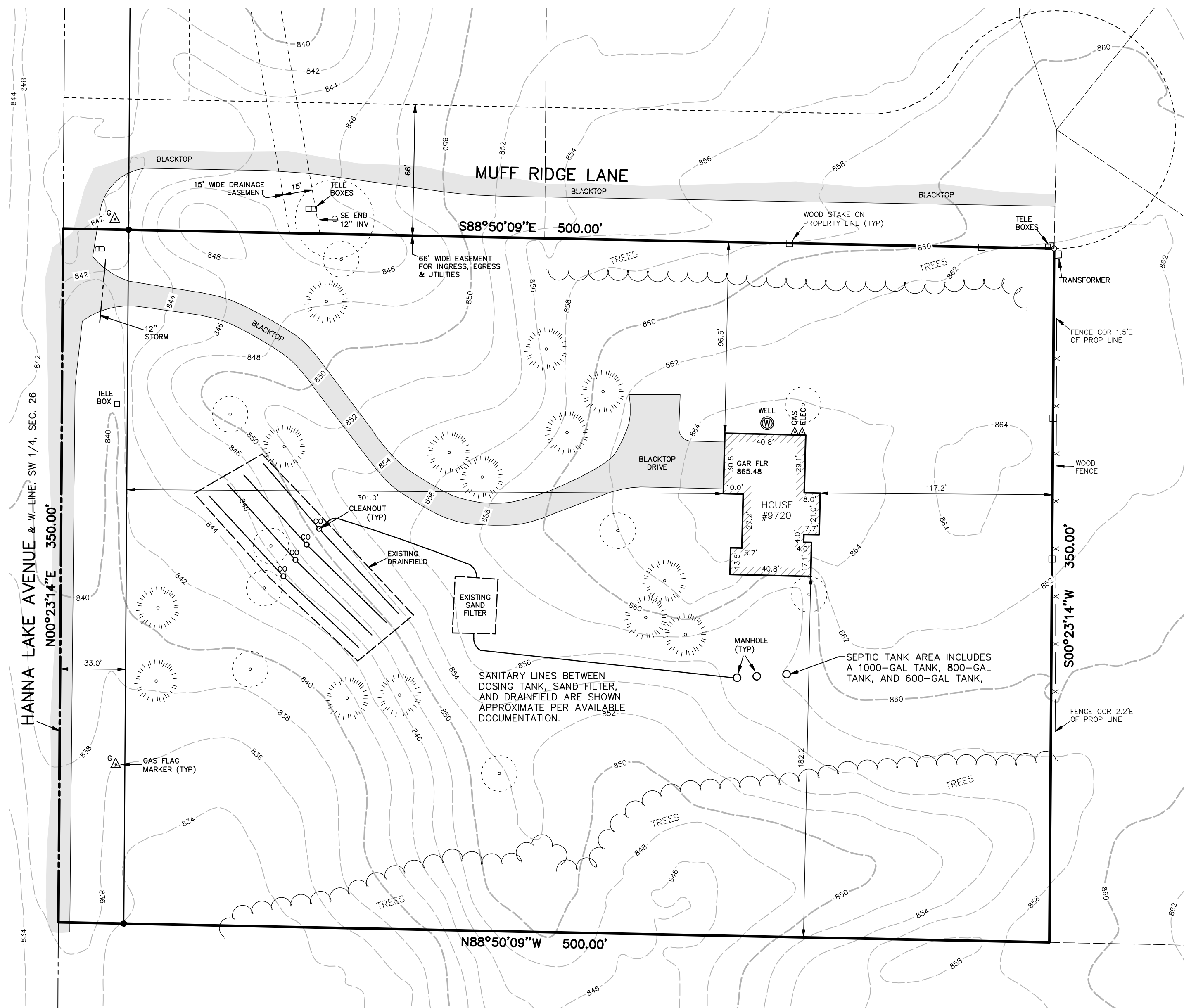
Sincerely,



Jeff Van Laar, P.E.

jvanlaar@exxelengineering.com

cc: Jeremy Boot



			 exxel engineering, inc. planners • engineers • surveyors 5252 Clyde Park, S.W. • Grand Rapids, MI 49509 Phone: (616) 531-3660 www.exxelengineering.com		
DATE	REVISION	BY	DRAWN BY: BAB APPROVED BY: JSV FILE NO.: 251720E	PROJ. ENG.: JSV PROJ. SURV.: VAD DATE: 09/30/2025	SHEET 1 of 1

Chris Terry
3233 Muff Ridge Lane SE
Caledonia, MI, 49316
August 12, 2025

To the Members of the Gaines Charter Township Zoning Board:

I am writing to express my full support for my neighbor, Jeremy Boot, in his request for a variance to construct his dream barn on his property at 9720 Hanna Lake Ave SE, Caledonia, MI, 49316. I have been a resident of this community for seven years and have had the privilege of knowing Jeremy as a dedicated, respectful, and responsible member of our neighborhood who is passionate about his woodworking and carpentry hobbies.

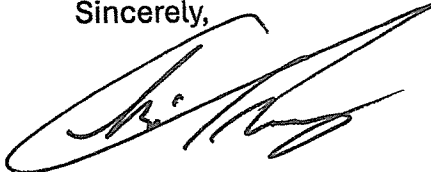
The proposed barn is not just a personal project—it represents a thoughtful improvement to his property that will be in keeping with the rural and agricultural character of our area, while matching his architectural elements of his primary home. Jeremy has shared his plans with me, and I believe the design, scale, and placement of the barn will be both visually appealing and harmonious with surrounding properties.

Granting this variance would allow him to fulfill a long-held vision while also enhancing the charm and functionality of his land. Importantly, I see no negative impact on neighboring properties, traffic, noise, or environmental conditions. On the contrary, I believe it will contribute positively to the aesthetics and vitality of our community.

I respectfully urge the board to approve this variance request and help make it possible for Jeremy to bring this meaningful project to life.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Terry', with a large, sweeping flourish at the end.

Chris Terry

Hi Dan and Dakota,

I connected with Jeremy last night and we walked the area he is looking to build and the plans including pictures of a profile he is planning to build like.

Based on our conversation and where he plans to build I am good with his plans.

The building closest to our lot line would be around 25 feet from it and would have a lower profile and is tucked behind the thick, tall spruce trees.

Based on this information, the design looks like nice quality buildings, not a pole barn, and it does not feel like it would be very conspicuous.

Thanks for helping us with this discussion. Let me know if you need me at the meeting to explain this to the Zoning Board tonight.

Thanks, Eric

616-340-6955

My name is Jim Verduin and I reside at 9725 Hanna Lake Ave SE, Caledonia, MI 49316. My residence is located directly to the West of 9720 Hanna Lake Ave SE, Caledonia MI 49316 which is owned by Jeremy Boot.

This letter is written to the Zoning Board of Appeals in response to public hearing on parcel number 41-22-26-320-002 and Jeremy Boot's variance request to build an outbuilding within 20 feet of the northern property line.

In regards to this request, I have the following comments:

1. Jeremy Boot and his family are outstanding Christian neighbors who take excellent care of their property. Jeremy is a tradesman and takes pride in his residence. His house and property are maintained very well; nothing is out of place. Anything Jeremy does is always done in good form and fashion with consideration given to those around him so as not to purposely offend his neighbors. I know that anything Jeremy decides to build will be done well and with good taste.
2. I was granted a variance at my residence a few years ago to build an outbuilding. I found the variance process to be quite reasonable.
3. Through the years, Jeremy has spoke to me at length regarding his desire to build a barn. He bought his acreage many years ago and designed his house to fit the property, maintain the beautiful view of the surrounding farmland and reserved a location on his land for an outbuilding. When Jeremy built his house, the township rules at that time required an outbuilding to be located behind the front of the house. A location in the northeast corner of his property provided the ideal location. Pine trees were planted so they would be mature and provide a Type II buffer.
4. The 60' setback from the northern property line is being deemed applicable because of the presence of Muff Ridge Lane SE private drive which then reclassifies Jeremy's side yard as a secondary front yard. I find this to be an unreasonable application of the zoning. The following is why I find this unreasonable:
 - a. Jeremy did not choose the placement of the PRIVATE drive which is on his neighbors land to the North. The private drive apparently changed the definition of Jeremy's side yard to a secondary front yard and changed his setback requirements? I find this to be unjust.
 - b. When Jeremy built his house, Gaines Township required outbuildings to be placed behind the front line of the home. The location of the barn being deemed improper was certainly not self inflicted, it was done with thought and to comply with the requirements at the time of the house being built. I recently walked the property with Jeremy. His location has a beautiful overview of the farm fields and sunset. With the septic system on the south

side of the driveway, an outbuilding location to the south of the driveway is not feasible. The central portion of the property, to the north of the drive is certainly not a desirable place to build a barn. The contour of the land will require significant fill and the removal of a nice tree in the process. In addition, the 60' setback would make this location very awkward and block his view. The most natural and obvious location for a barn is in the Northeast corner of the property.

- c. Had Jeremy built his barn prior to Muff Ridge Lane being built, he would have had a 20' setback without a need for a variance. After the barn was built, Muff Ridge Lane could still be built. This order would have resulted in the same outcome as granting the variance being requested. Jeremy shouldn't be penalized for the timing of his barn build and he shouldn't be penalized because his neighbors put in a private drive.

I urge the Township Board of Appeals to make the reasonable decision to grant the variance, just as they did for me.

Jim Verduin

9725 Hanna Lake Ave SE
Caledonia, MI 49316

616.215.4536

Gaines Charter Township

Zoning Board of Appeals Memo

Meeting Date: December 10th, 2025

AGENDA ITEM: V.2

REQUEST: Dimensional Variance

ADDRESS: 7761 Hanna Lake Ave SE

PARCEL NUMBER: 41-22-15-200-029

APPLICANT: Brian DeSmit for Owner Dennis Dale

FILE NUMBER: 251111BDS

PROPERTY ZONING DISTRICT:
Agricultural/Rural-Residential (ARR)

PROPERTY SIZE: 2.25 Acres

REPORT BY: Dan Wells, Community
Development Director



OVERVIEW

The applicant is requesting a dimensional variance to reduce the street side yard setback for an existing residential building from 60 feet to 7.2 feet (a 58.2-foot variance from the ordinance requirement). If approved, the applicant will divide a single parcel, establish a 66-foot-wide easement along the north edge of the property, and build a minor private road leading from Hanna Lake that would serve as access for a new home to be built on an otherwise landlocked lot at 7765 Hanna Lake.

The abutting parcel to the west, 7765 Hanna Lake, is a legal non-conforming parcel, since it has no legal access and is under common ownership, and is considered a single undivided lot. The current ordinance defines it thus:

SECTION 33.40 LAWFUL NONCONFORMING LOTS

B. ABUTTING NONCONFORMING LOTS UNDER SINGLE OWNERSHIP 1. If two (2) or more adjoining lots of record or combination of lots and portions of lots of record, in lawful existence at the time of the passage of this Ordinance, or an amendment thereto, with continuous frontage and under single ownership do not meet the requirements established for lot width, dimension, or lot area, the lands involved shall be considered to be an undivided single lot for the purposes of this Ordinance, and no portion of such lot shall be used or divided in a manner which diminishes compliance with lot width, dimension, and area requirements established by this Ordinance.

As a single parcel, a land division would be necessary to build a residential home on 7765, as a single lot may not have two primary uses (Section 15.40.A). Since the access easement and road would cross one parcel (7761) to serve another parcel (7765), it would serve two parcels, and a minor private street is required (Section 22.60.C). The required easement for a minor private street is 66-feet.

Because a new minor private street would cross the north edge of the parcel, it creates a secondary front yard for 7761, which requires a 60-foot setback from the access easement to the primary residence, but in this case the residence is only 7.2 feet from the edge of the required 66-foot-wide access easement. The 60-foot streetside setback is the that the applicant seeks relief from, reducing the setback from the access easement from 60 feet to 7.2 feet.

The current home driveway exits onto Hanna Lake currently. The minor private road would also have to serve as access for the existing home, since the ordinance requires lots with frontage on a private and public street access the private street (Section 22.30.F). The current driveway would have to be closed, and a new driveway be routed to the minor private street as required.

A maintenance agreement will also need to be created for both properties and be reviewed by the Township Attorney as required under Section 22.70.

The only other possible access to 7765 Hanna Lake is from the south from Boot Lane and across another parcel; adding a lot to that private road would require upgrading the entire roadway and getting all the neighbors to agree to a new maintenance agreement, a highly unlikely scenario.

SURROUNDING ZONING:

	NORTH: Agricultural/Rural-Residential (ARR)	
WEST: Agricultural/Rural-Residential (ARR)	SUBJECT PARCEL	EAST: Agricultural/Rural-Residential (ARR)
	SOUTH: Agricultural/Rural-Residential (ARR)	

PROCESS:

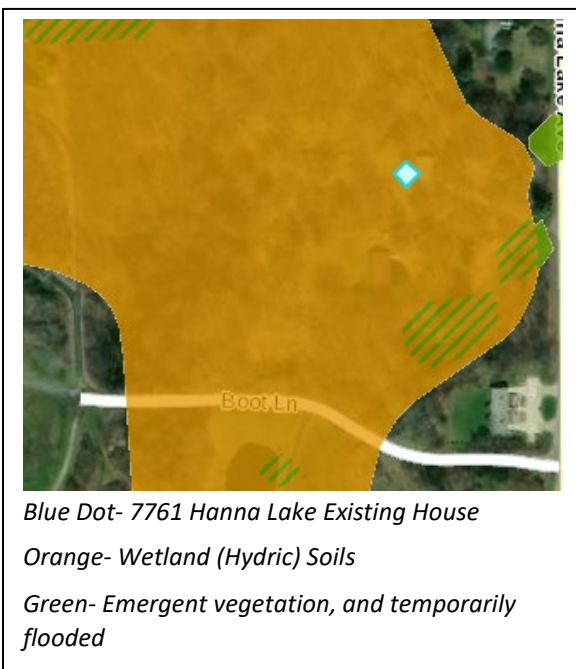
Review of the dimensional variance request is subject to the following process:

1. Submittal by applicant (Section 25.20 A-C)
2. Completeness review by Zoning Administrator (25.20 D)
3. If complete, a public hearing shall be scheduled (Section 25.70)
4. Administrative review of the variance request by Zoning Administrator
5. Public hearing and review and decision by the Zoning Board of Appeals (Section 25.50)

STANDARDS OF REVIEW:

The request has been reviewed using the applicable review standards of Chapter 30, Section 30.40 Non-Use (Dimensional) Variance Approval Standards, and informed by Chapter 22 Private Streets and Driveways. The Zoning Board of Appeals must find that all five standards in this report are satisfied to grant a variance.

1. The predicament is caused by exceptional, unique, or extraordinary physical conditions, dimensions, or circumstances that directly relate to the subject lot or parcel rather than the individual situation or desire of the applicant or property owner (see definition of "unique circumstance").



“Unique Circumstance”: An exceptional, unique, or extraordinary physical condition that is one of the following:

- 1. Exceptional narrowness of the width or depth of a lot or parcel, or an irregular shape, as compared to a conforming lot or parcel.***

Staff finds that 7761 Hanna Lake is not exceptional in width or depth, and meets all current dimensional requirements for the ARR zoning district.

- 2. Exceptional natural or topographic features located on the lot or parcel, such as steep slopes, surface water features, existing significant trees, or other unique or extreme physical conditions of the land.***

The applicant stated that 7761 Hanna Lake is mainly low areas that may or may not be wetlands (see image)

which is an estimate of wetland area and is not a wetland determination). Several areas on the parcel may seasonally flood, but these are not indicated north of the existing house, except at Hanna Lake. Any driveway placed in that area would have to take drainage into consideration, but potential wetlands are not a driver for placement of the access road easement. There are no other extreme features that limit development.

3. *Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional features of the land.*

The request for the variance is driven by the location of the existing house, and the need for the required 66-foot easement for a minor private road, and required 60-foot streetside setback from the access easement. In staffs opinion the location of the house is not exceptional, it would be considered typical for a parcel this size in this area.

4. *Other natural, topographic, built, or dimensional conditions or characteristics of land, lot, or parcel, which are determined by the Zoning Board of Appeals as exceptional or extraordinary.*

Staff finds no other conditions that are exceptional or extraordinary.

Does not meet standard. No unique circumstances exist on the parcel. The request for a street side setback reduction from 60 feet to 7.2 feet largely stems from the applicants' desire to create access to the legal non-conforming 7765 Hanna Lake lot, a parcel that doesn't legally exist.

2. *The variance is necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other landowners in the same Zoning District and vicinity and does not grant special privileges to the applicant that are not available to the owners of these properties.*

Does not meet standard. Approving the dimensional variance request may grant special privileges to the applicant. A 58.2-foot encroachment on the required 60-foot street side yard setback is being requested due to the applicants desire to divide the single parcel, and build a house. Generally, other developers that seek to divide parcels and create minor private roads align them in such a way so they are compliant, and avoid placing streets in close proximity to adjacent homes.

As a single parcel, the Township is under no obligation to enable it's division.

3. *The practical difficulty for which the variance is requested does not result from a self-created problem by the applicant, current landowner, or any previous landowner of the property involved (see definition of "self-created problem").*

Self-Created Problem: A problem that occurs, results, or exists from one or more of the following conditions:

1. *A problem that occurs when one can reasonably develop a property in a compliant manner, but the landowner or applicant's personal desires and preferences for property development do not align with zoning requirements.*

2. *A problem that occurs when a property is currently built-out under current zoning constraints, but the landowner or applicant's personal desires and preferences for expansion do not align with zoning requirements.*

3. A problem that results from the action, preference, or desire of the landowner or applicant that is not a result of a unique characteristic of the property.

4. A problem that exists because the landowner, previous landowner, or applicant took a specific action that created the need for the variance, such as adjusting a lot line, constructing a building, or developing a site in a manner that does not allow future compliant construction, building expansion, or site development.

Does not meet standard. The desire to split the parcel and build another house is a self-created problem because the property already has value and is developed in a compliant manner. The division of the parcel for the purpose of building another house behind it, and placement of a minor private street easement can't be done in a compliant manner and is not result of a physical constraint stemming from unique conditions of the property.

4. The variance will not be detrimental to the public welfare, injurious to neighboring properties, or change the essential character of the neighborhood.

Meets standard. The impact of an extra residence building would not be injurious, obtrusive, or affect the character of the area.

5. The variance is consistent with the purpose and intent of the Master Plan and the intent and provisions of the Zoning Ordinance and Zoning District designation of the subject property.

Does not meet standard. The parcel is currently zoned and future zoned for Agricultural Rural Residential use. The intent and purpose of Section 4.20.C (street side setbacks) of the zoning ordinance is to promote consistent rules for the placement of buildings and structures within the A-RR zoning district and to them from streets. For comparison, the placement of an access easement within 7.2 feet of a dwelling is closer than Village Residential zoning allows (10 feet).

STAFF RECOMMENDATION

Staff consulted with the Township Attorney on the request, and counsel agrees with the findings of the staff report and conclusions herein.

If the ZBA determines all standards for a dimensional variance are not met, staff recommends that the application be denied.

If the ZBA determines all the standards for a dimensional variance are met, approval of the application is recommended with the following condition:

1. The current driveway must be closed, and a new driveway be routed to the minor private street as required.

Zoning Board of Appeals Applicant Worksheet

FILE NO.

Please indicate your request type and the applicable Section(s) of the zoning ordinance. Leave blank if uncertain.

☒ Dimensional (Area) Variance

Section(s) _____

☐ Use Variance

Section(s) _____

☐ Interpretation/Appeal of Zoning Administrator*

Section(s) _____

**For this requests, please attach in letter form your comments regarding the interpretation/appeal.*

Applicant Response to Standards of Review

1. Does the property have physical characteristics, such as narrowness, shallowness, irregular shape, topography, or natural features that inhibit compliance with the zoning ordinance (attach additional sheets if needed)?

Yes - 7765 Hanna Lake Ave does not have a connection to a public roadway land locking it from being developed. A private side street is required to access the property, but this creates a dimensional setback issue between the existing home at 7761 Hanna Lake Ave and the newly proposed private side street.

2. If answered yes to #1 above, is (are) the physical characteristics) unique and not shared by neighboring properties?

Yes - all other nearby properties have access to the roadway through their own individual driveways and/or a private street that this property does not have access to.

3. Was the alleged practical difficulty (dimensional variance) or hardship (use variance) created by an action of the applicant or previous property owner?

7765 Hanna Lake Ave has never had access to a public roadway

4. Can the property be reasonably used for the use permitted in the zoning district without granting the variance?

No - 7765 Hanna Lake Ave can not be developed in it's current state as there is no applicable access.

5. Is the variance the minimum necessary to permit reasonable use of the land and buildings, or would a lesser variance provide substantial justice to the applicant as well as other property owners in the area?

Yes the proposed variance would meet the minimum requirements of a private side street that is required to be able to access 7765 Hanna Lake Ave.

6. If granted, explained how the variance would not result in adverse affects on adjacent properties or alter the character of the area?

The proposed variance would only affect the applicant properties. All other minimum township, county, and state requirements would be fulfilled in their entirety.

7. If granted, explain how the variance would not result in hazards such as dangers from fire or flood, or increased traffic congestion. That is, how will the public safety and welfare be observed and secured?

As mentioned above, all other minimum township, county and state requirements would be fulfilled. The township building and fire department would review the plan as part of their standard procedures. The Road

Commission would review traffic flow as part of their standard review procedures.

8. If granted, explain how the variance would not be contrary to the spirit and intent of the zoning ordinance.

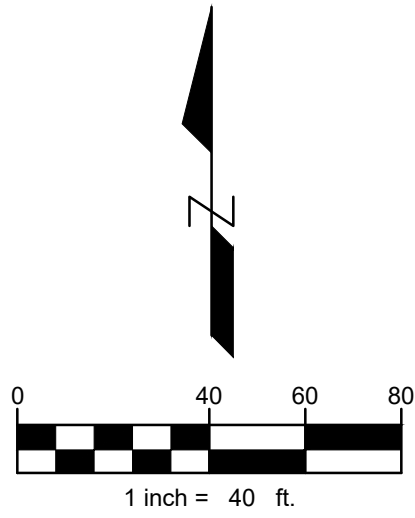
The ordinance is established to provide safe and uniform development. The ordinance in it's current state does not allow splits that create locked properties to avoid situations that was created in this case.

As mentioned above the variance does create a setback dimensionally issue with the existing building, but when and when the existing building is rebuilt, it will be subject to the zoning rules that will move new build able area away from the newly created private side street, resulting in the overall area being back in compliance with the current zoning ordinances.

Applicant Response to Standards of Review

Please see written responses on separate page due to font size limitations on application form making the application form difficult to read:

1. Yes - 7765 Hanna Lake Ave does not have a connection to a public roadway and locking it from being developed. A private side street is required to access the property, but this creates a dimensional setback issue between the existing home at 7761 Hanna Lake Ave and the newly proposed private side street.
2. Yes - all other nearby properties have access to the roadway through their own individual driveways and/or a private street that this property does not have access to.
3. 7765 Hanna Lake Ave has never had access to a public roadway
4. No - 7765 Hanna Lake Ave can not be developed in it's current state as there is no applicable access.
5. Yes the proposed variance would meet the minimum requirements of a private side street that is required to be able to access 7765 Hanna Lake Ave.
6. The proposed variance would only affect the applicant properties. All other minimum township, county, and state requirements would be fulfilled in their entirety.
7. As mentioned above, all other minimum township, county and state requirements would be fulfilled. The township building and fire department would review the plan as part of their standard procedures. The Road Commission would review traffic flow as part of their standard review procedures.
8. The ordinance is established to provide safe and uniform development. The ordinance in it's current state does not allow splits that create locked properties to avoid situations that was created in this case. As mentioned above the variance does create a setback dimensionally issue with the existing building, but when and when the existing building is rebuilt, it will be subject to the zoning rules that will move new build able area away from the newly created private side street, resulting in the overall area being back in compliance with the current zoning ordinances.



PRELIMINARY
NOT FOR CONSTRUCTION



BOURDO ENGINEERING
6449 PINE LAKE ROAD,
DELTON, MI 49046
(269) 716-0175
BOURDO.ENG@OUTLOOK.COM

7761 & 7765 HANNA LAKE AVE DRIVE
GAINES TOWNSHIP, MICHIGAN

VARIANCE
SITE PLAN

No.	REVISIONS	DATE	BY

CHECKED BY: TLB

ORIGINAL ISSUE:
10/27/2025
PROJECT NUMBER:
25034
SHEET NUMBER:

C101



ZONING BOARD OF APPEALS MEMO

Meeting Date: December 10th, 2025

AGENDA ITEM: V.3

APPLICANT: Kim Allard; Allied Signs Inc.

REQUEST: 41.79 Square Foot Dimensional

ZONING AND PROPERTY SIZE: Office and Service (OS)

Variance – Interior Site Sign

ADDRESS: 440 72nd Street SE – Pine Rest

REPORT BY: Dakota Swan, Assistant Planner

Pediatric Behavioral Health



OVERVIEW:

The applicant requests a 41.79 square-foot dimensional variance to increase the permitted size of an internally illuminated interior site sign at the new Pine Rest Pediatric Behavioral Health Center. Section 24.90 of the Gaines Charter Township Zoning Ordinance (GCTZO) stipulates that interior site signs in the Office Service zoning district are limited to 8 square feet, however, there is no limit on the number of interior site signs permitted on the site. The applicant has submitted materials for two other sign types, both of which are compliant and are in the process of obtaining building permits: one monument sign, and one lettered wall sign on the northwestern face of the building.

SURROUNDING ZONING:

	NORTH: Office and Service (OS) – Pine Rest main campus	
WEST: Village Residential (VR)	SUBJECT PARCEL	EAST: Suburban Residential (SR)
	SOUTH: Office and Service (OS)	

PROCESS:

The request for a dimensional variance is subject to the following process:

1. Submittal by applicant (Section 25.20 A-C)
2. Completeness review by Zoning Administrator (25.20 D)
3. If complete, a public hearing shall be scheduled (Section 25.70)
4. Administrative review of the variance request by the Zoning Administrator
5. Public hearing and review and decision by the Zoning Board of Appeals (Section 25.50)

STANDARDS OF REVIEW:

The request for a dimensional variance is subject to review against standards outlined in Section 30.40 of the Zoning Ordinance – “Non-Use Variance Standards”. The Zoning Board of Appeals shall review all details of the application and submittal to ensure satisfaction of the requirements outlined in Section 30.40.

- 1. The situation or predicament is caused by exceptional, unique, or extraordinary physical conditions, dimensions, or circumstances that directly relate to the lot involved rather than the individual situation or desire of the applicant or property owner (see definition of “unique circumstance”).**

“Unique Circumstance”: An exceptional, unique, or extraordinary physical condition that is one of the following:

1. *Exceptional narrowness of the width or depth of a lot or parcel, or an irregular shape, as compared to a conforming lot or parcel.*
2. *Exceptional natural or topographic features located on the lot or parcel, such as steep slopes, surface water features, existing significant trees, or other unique or extreme physical conditions of the land.*
3. *Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional features of the land.*
4. *Other natural, topographic, built, or dimensional conditions or characteristics*

Does not meet standard. The request for an increase in square footage for an interior site sign largely stems from the applicants' personal desires and preference. Staff finds that no characteristics of the parcel itself are prohibitive to proposing a sign that is compliant with square footage requirements for interior site signs; the parcel is not configured or shaped in a manner that would infringe upon proposing a sign that is compliant with the requirements of the Zoning Ordinance. Staff has also determined that a compliant interior site sign would be conducive to wayfinding on the premises, as an individual approaching the facility would presumably be able to see and read the sign if the size was compliant.

2. **The variance is necessary for the preservation and enjoyment of a substantial property right that is similar to that possessed by other landowners in the same Zoning District and vicinity and does not grant special privileges to the applicant that are not available to the owners of these properties.**

Does not meet standard. Staff finds that approving and issuing the dimensional variance would grant the applicant special privileges that other office users in the vicinity do not have. If the proposed interior site sign was 8 square feet or less, it would be consistent with regulations outlined in Section 24.90 of the GCTZO and would negate the need for a dimensional variance.

3. **The practical difficulty for which the variance is requested does not result from a self-created problem by the applicant, current landowner, or any previous landowner of the property involved.**

Does not meet standard. The request for a 49.79 square foot interior site sign is a self-created problem. A request for an interior site sign 8 square feet or less would achieve compliance with guidance in the GCTZO and a dimensional variance would not be necessary. Although square footage of interior site signs is limited to 8 square-feet in the OS zoning district, there is no limit on the number

of interior site signs a user in the OS district can have; the applicant could apply for several interior site signs that are compliant in square footage to satisfy wayfinding needs on site. Staff does not find that any characteristics of the property itself would prohibit the applicant from installing an interior site sign that is consistent with the square-footage requirements of Section 24.90; the desire for a larger interior site sign is based on personal or business desires and preferences.

4. The variance will not be detrimental to the public welfare, injurious to neighboring properties, or change the essential character of the neighborhood.

Meets standard. The Pediatric Center for Behavioral Health is located in the far south end of the Pine Rest campus and is nestled in between residential development to the east and west. Staff does not find that a 49.79 square foot interior site sign would be detrimental to the public welfare or essential character of the neighborhood, as the proposed location of the sign would not be visible from adjacent residential properties; the entire facility is compliant with landscaping requirements and is screened appropriately and efficiently.

5. The variance is consistent with the purpose and intent of the Master Plan and the intent and provisions of the Zoning Ordinance and Zoning District designation of the subject property.

Does not meet standard. The subject parcel is zoned and planned for office and service use. Section 24.90 of the GCTZO contains provisions for the type of sign the applicant seeks in the OS zoning district and limits them to 8 square feet. If the proposed sign was consistent with dimensional requirements outlined in Section 24.90, the request would be consistent with the purpose and intent of both the Master Plan and Zoning Ordinance.

STAFF RECOMMENDATION:

Staff recommends that the variance request be denied as it does not meet the standards of a unique circumstance, and the proposed size of the interior site sign is a self-created problem by the applicant.

If the ZBA determines all standards for a dimensional variance are met, approval of the application is recommended with no conditions.

If the ZBA determines all standards for a dimensional variance are not met, staff recommends that the application be denied.

Application for Zoning Variance

2025 01 23

Applicant Response to Variance Standards

Depending on the situation, you will be applying for either a Dimensional or Use Variance.

*ZBA must find that **all** standards under 1-5.A) are met for Dimensional (Area) Variance,
OR*

***all** under 1-5.B) for Use Variance approval*

1. A) Does the property display any unique circumstances that justify the need for the dimensional variance request, rather than the individual situation or desire of the applicant? (See definition of "unique circumstance.")

OR

B) Is the use variance necessary due to the unique condition, location, or situation of the property in relation to the permitted and special land uses categorized within the applicable Zoning District?

The unique circumstances is the size of this facility. It has a main entrance and an urgent care entrance. The urgent care entrance needs to be clearly visible and an 8 sqft sign cannot achieve that objective. This location is for crisis services, psychiatric urgent care and admissions. For the safety of the patients and families, it is critical that they efficiently identify the correct entrance for this service. The restriction in size, given the proximity to the main entrance will create unnecessary confusion and result in delays in care.

2. A) Would approval of the variance request grant special privileges to the property owner requesting the dimensional variance that are not held by landowners in the same zoning district or vicinity?

OR

B) Does the unique nature of the property prevent the establishment of all other reasonable and appropriate permitted and special land uses categorized within the applicable Zoning District.

No it would not. This is a hospital that offers inpatient and outpatient services and clear and concise wayfinding is necessary.

Application for Zoning Variance

3. A) Is the practical difficulty for which the dimensional variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

OR

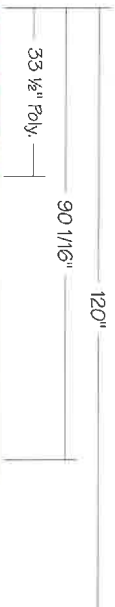
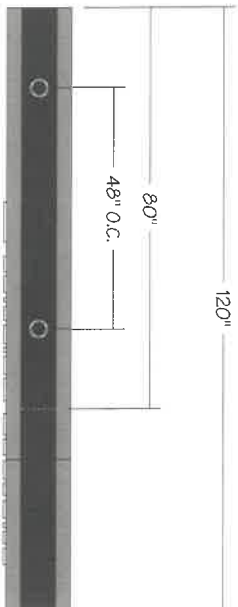
B) Is the hardship for which the use variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

The practical difficulty is that this is a hospital that offers inpatient and outpatient services. Due to the nature that this is an urgent care facility that has a separate urgent care entrance, clear and concise wayfinding is necessary. This is not a self created problem by the current or previous landowner. The zoning ordinance was written to restrict the size of internal wayfinding signs despite the use of the property.

4. For A) & B) If approved, will the dimensional or use variance cause detriment to the public welfare, injury to neighboring properties, or change the essential character of the neighborhood? If so, please explain. Should the variance be approved, the sign will not cause detriment to the public welfare. The sign will provide clear and concise wayfinding during a parents stressful time of bringing their child to the hospital.

5. For A) & B) To the best of your knowledge, is the dimensional or use variance request consistent with the purpose and intent of the Master Plan, Gaines Charter Township Zoning Ordinance, and zoning district designation of the property?

Yes. The proposed sign is for directional purposes and has been designed to be esthetically cohesive to the overall building design and surrounding area. It will offer clear and concise wayfinding and be consistent with the purpose and intent of the Master Plan and Zoning Ordinance.



- URGENT CARE MONUMENT - Single Sided - Illuminated**
- 72" x 120" x 13" overall cabinet size
 - 59 3/4" x 120" x 13" deep fabricated aluminum cabinet custom radius end
 - 3" deep pan faces
 - Face is routed and backed with 3/4" white trans. acrylic to leave 1/2" pushed thru
 - Surface applied opaque back HP vinyl "H" and "Urgent Care" to be reverse cut trans. vinyl
 - 59 3/4" x 33 1/2" x .15" polycarbonate accent to be paint masked
 - Surface applied 3M 118 Intense Magenta trans vinyl
 - Face and pan returns to be painted Grey TBD
 - Core cabinet is painted Dark Grey TBD
 - 12" x 80" x 7" deep fabricated aluminum base
 - Base is painted Dark Grey TBD
 - Dual internal 3" (3 1/2" OD) 5ch. 40 steel posts - extended 24" for direct burial in concrete footers
 - 72" grade to top of sign
 - All electrical service to be 120v
 - Illumination by D5 White LED line arrays and internal power supplies
 - Estimated service load is 63A @ 120v
 - (1) 120W P/S

8 square feet allowed
49.79 square feet proposed
41.79 square feet ZBA request

Sign Type B

PROJECT:	LOCATION:	QTY:	RELEASE DATE:	APPROVAL:	SCALE:	DATE:
K25010 - Pine Rest Christian Mental Hlth Svc	Urgent Care Monument	1	07-10-25	X	1/2" = 1'	MRG
DESIGNS:	COLOR:					
Neutra Text Light Alt	- PMS DK Grey T80					
Neutra Text - Bold	- PMS Grey 190					
	- PMS 241 / 3M 118 Intense Magenta					
	- PMS 1925 /					

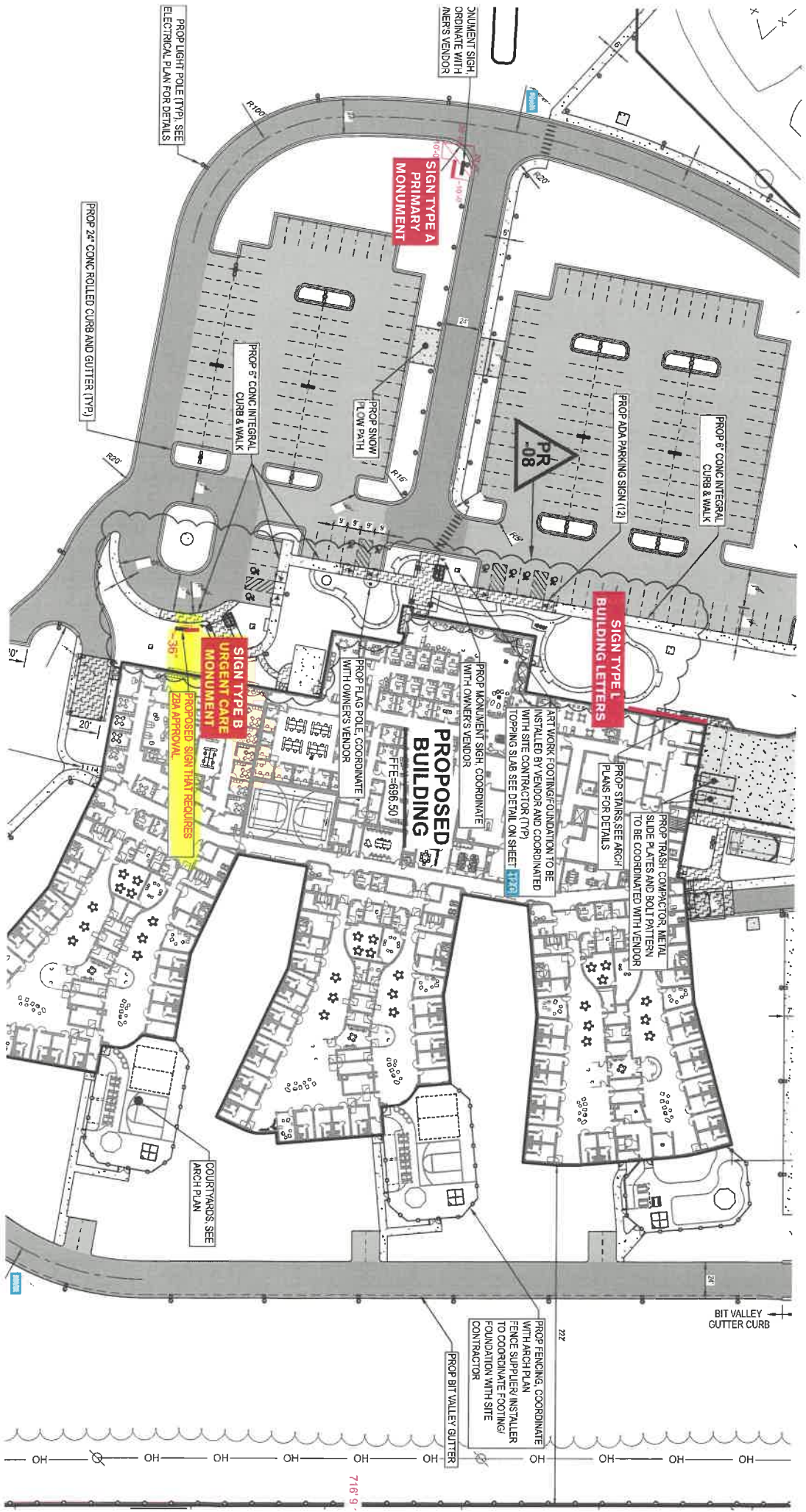
Project #: K25010
Date In: _____
Substrate: White Trans w/ UV Inhibitor
Color: PMS 1925
Qty: _____
Made By: _____

☐ Contour Cut
☐ Surface Print
☐ Push thru
☐ Flat Bed
☐ Reverse Print

☒ 120V
☒ 277V
☒ LED
☒ Ext.
☒ Int.

☒ 120V
☒ 277V
☒ LED
☒ Ext.
☒ Int.

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DRAFT 2026 Meeting Schedule and Application Deadlines
Gaines Charter Township – Planning and Zoning Department

Planning Commission	
<i>Meeting Date</i>	<i>Application Deadline</i>
January 22, 2026	December 18, 2025
February 26	January 22, 2026
March 26	February 26
April 23	March 26
May 28	April 23
June 25	May 28
July 23	June 25
August 27	July 23
September 24	August 27
October 22	September 24
November 19	October 22
December 17	November 19
January 28, 2027	December 17, 2026

Zoning Board of Appeals	
<i>Meeting Date</i>	<i>Application Deadline</i>
January 14, 2026	December 10, 2025
February 11	January 14, 2026
March 11	February 11
April 8	March 11
May 13	April 8
June 10	May 13
July 8	June 10
August 12	July 8
September 9	August 12
October 14	September 9
November 11	October 14
December 9	November 11
January 13, 2027	December 9, 2026

Please note the following:

1. All meetings will be held in the Board Room at the Township Offices, 8555 Kalamazoo Avenue SE, Caledonia, MI 49316.
2. Planning Commission and Zoning Board of Appeals meetings begin at 7:00 PM
3. Meetings may be cancelled due to a lack of applications and/or agenda items
4. Meeting agendas are available at the Township Offices or on the Township website, www.gainestownship.org.

All interested persons are invited to attend and participate. Persons with disabilities needing accommodation for effective participation in the meeting should contact the Township Office at (616) 698-6640 one week in advance to request mobility, visual, hearing or other assistance.